

Exhibit K

DAVIS COUNTY JAIL
Watch Commander

Name: ANGEL CHRISTOPHER
ABREU

Inmate ID#: 398403

Date: 08/12/2020

Housing Unit: Q-21;DCCF;POD6;
QUEBEC

Inmate Request:

08/12/2020 10:46:13

i was refused to be given food by eberly on 8/10/20 im aware from his comments to me that he wrote a report saying he refused to feed me any lunch and starved me on purpose because hes saying there was talk about selling my tray. that is not true. and his reason to me started as he didnt want to feed me because i just got back from layton hills dental and he didnt want me to bite my tongue or anything after getting a root canal and my mouth was numb. only later when i was locked down for the day around 1:45 did he change his reason to hearing some other inmate comment on wanting my tray when i asked for it in the dayroom. i did not hear this or acknowledge it as i was very hungry and wanted to eat lunch myself. and when he says that happened, which it didnt, eberly was upstairs with just me and him as i made me 2nd request for a lunch as i hadnt been fed. eberly in return commented oh what they didnt feed you mcdonalds on your way out the jail and walked off. saying this and being upset that i was able to leave to jail to get my tooth fixed. considering that ive wrote grievances before about eberly profilibg me about my case and making comments about my charges and information about my case such as the body being taking across statelines to idaho in front of other inmates. check filed grievance and it shows hes admitted to this. eberly has had a very strong opinion of my guilt and has treated me with such opinion. him knowing my case and that i was able to get some fresh air to fix my tooth clearly bothered him. as if i should be stuck in a hole forever and his attitude and comments over the years have shown this and so did they on 8-10. and to ruin the fact that i was happy i got to leave for a little and experience a car ride for the first time in awhile was bothering eberly. to the point where i should of got mcdonalds since i was so special. this attitude is why he didnt feed me. as he wanted to bother me and make my day worse. in doing so i went very hungry after a long dental visit with a lot of work done. either way i was in my cell for the rest of the day and there was no way to sell or give away for free if i wanted to any tray. and only then did he say he wasnt feeding me the tray for whatever fake reason he came up with to justify him doing so.

Inmate Signature/Date: _____

Staff Response:

Staff Signature/Date: _____

Decided to jump in our conversation after I told my neighbor "Yeah I've made up my mind that this virus is going to get to us sooner than later and I'm going to jail in Davis County Jail. Eberley then decided to say "Yeah just like that guy Correctional Division on his way to Idaho in your case". I don't appreciate this and even say not everyone knows what he was talking about when I confronted him. He made it very clear when he said that.

Davis County Sheriff's Office

Inmate Request and Grievance Form

Name Angel Abreu Inmate # 398403 Housing Unit F11

Date 4/2/20 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other

Describe Problem or Request: I'm writing this for my documentation regarding Deputy Eberley who worked 4/1/20 as the floor officer. During his shift he made remarks about my case loud enough for the whole section to hear. First - 3 people used the pencil sharpener before me and when I asked to use it he made a remark "I don't want you sharpening a pencil to stab me in the neck or anything". Never did he say this to anyone else and considering my charges which Deputy Eberley knows so much about I don't take that as some joke. Also during the same shift Eberley made a comment about my case while doing rounds. Everyone was talking about the Corona virus. And Eberley

Received by Bergstrom Date 4-2-2020 Time 21:10

Routed to: Watch Commander

Reply: This was addressed.

Disposition by: Baer Date 4-15-20 Time 20:30

Returned to Inmate by: Baer Date 4-15-20 Time 20:30

Original - Classification File Yellow - Inmate w/response Pink - Inmate
DCJ Form 501a (revised 02-29-96)

EEK a week prior to this up because my arm got dislocated after falling. The Doctor there gave me 3 shots of Actinon, a time release pill with others, and a shot of ketamine to put me to sleep. And now I'm being Correctional Division punished for that? I really would just like to know what's going on with my housing & when I'm leaving Fox.

Davis County Sheriff's Office **Inmate Request and Grievance Form**

PLEASE AND SEND HIS WITH RESPECT. Name Angel Abreu Inmate # 398403 Housing Unit F-11

Date 4-2-20 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other

Describe Problem or Request: I have now been 7 days in Fox without any hearing for the disciplinary charges was given and moved to Fox on 3/21/20. And no one seems to know what's going on and I'm being told I'm stuck back here because there is no classification right now. I've been at this jail for two years and have seen many inmates fail a UA. Never have I seen any of them come to Fox until after being found guilty by the ICH hearing. Not only that but I've taken 3 UAs and never failed any of those when others did. Meaning I don't Department Use Only do drugs. When I had to go to the

Received by Bergstrom Date 4-2-20 Time 21:45
Routed to: Watch Commander

Reply: You will have your disciplinary hearing this week.

Disposition by: Sgt. Melton Date 4-7-2020 Time 0637
Returned to Inmate by: Mancate Date 4-7-2020 Time 10:35

of process and over the Watch Commander? Deputy Averette keeps looking at me weird now when he sees me.

Davis County Sheriff's Office

Correctional Division

Inmate Request and Grievance Form

Name Angel Alonzo Inmate # 398403 Housing Unit A-10 Hotel 2

Date 5/20/20 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other

Describe Problem or Request: I Want the kit, I wrote B-7 re-reviewed! I Was Sexually Harassed by
deputy Averette And I feel violated. How are you going to tell me I wasn't exposed when I
wasn't. Im not being taken serious obviously, did I want the number for P.R.E.A. The cell
door was left open and David Calderon, Isaac Valdez and two other inmates seen me
naked because of Deputy Averette. You're not even trying to look into my grievance telling
me it's unfounded? Then how do Department Use Only? I write a grievance above this kind

Received by Rummel Date 5/27/2020 Time 1606

Routed to: Watch, Commander

Reply: THIS HAS BEEN ADDRESSED AND YOUR GRIEVANCE IS CONSIDERED
CLOSED

Disposition by: SGT SWANER Date 6/1/2020 Time 0945

Returned to Inmate by: _____ Date _____ Time _____

Original - Classification File Yellow - Inmate response Pink - Inmate
 DCJ Form 501a (revised 02-29-96)

"I replied 'Because your letter says 'Dear Marissa' and that doesn't sound like legal mail to me. Much should say 'Dear Judge'." **Davis County Sheriff's Office** Marissa is my mitigation specialist on my case and my private investigator. **Correctional Division** long story long Rubens refused me my right to send my legal mail, read my legal mail and was forced to send the letter without being sealed so it was lost and taken from me. **Inmate Request and Grievance Form**
 I am because of this Rubens also took my day room for today and will be in 120 for 40-55 hours because I asked him why he was doing this. His mind goes to or his envelopes to send mail. Fox because commissary won't allow me to. So I can't reply or send legal letters or mail period.
 Name Angel Abreu Inmate # 398402 Housing Unit E-11
 Date 4/8/2020 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other

Describe Problem or Request: on 4/7 (Copen didn't mind) I was following normal procedure to send a legal mail to my attorney. I opened the envelope showed Rubens and let him see the contents when I asked him if I could sign it he said 'No, side it to me', so I did. He then went through it which contained 3 papers (A letter and 2 releases of prisoners for me). Rubens then said 'No, I'm not signing this' and put it back to me. While he inspected the 3 papers we did so for a minute each page and read my legal mail which he admitted he did later when I asked him why by Department Use Only is giving me a hard time with sending my.

Received by C. Johnson Date 4/8/20 Time 2:30
 Routed to: Watch Commander
 Reply: Rubens told me about this the night it happened.
non-legal mail can not be sent out in legal mail envelopes

Disposition by: Boev Date 4/15/2020 Time 17:30
 Returned to Inmate by: [Signature] Date _____ Time _____
Original - Classification File Yellow - Inmate response Pink - Inmate DCJ Form 501a (revised 02-29-96)

ASK Admin Bureau

"FUCK YOU" TO ME BECAUSE HE SAID I DON'T HAVE TO WATCH HIM GO THEN LEGAL MAIL, HE JUST READ IT. THEN HE TOOK MY PILLOW THAT I PAID FOR AND HAS MY NAME ON IT FROM THE OLD COM AS I HAD TWO CAUSE! **Davis County Sheriff's Office** BOUGHT ON OAPT COMMISSARY TO WHEN I ASKED HIM TO PUT THE PILLOW I BOUGHT IN MY PR HE SAID "NO" AND THREW IT AWAY. NO ONE ELSE RECEIVED THIS KIND OF TREATMENT DURING THE CHARGE OUT BUT ME. AND MY ENTIRE CELL & BELONGINGS WERE LEFT AS TRAY. ALSO

Name ANGEL ABIZEN Inmate # 398403 Housing Unit H-4
 Date 4-29-20 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other
 of HAVING RUNNING STORE BECAUSE OF MY #63.48 OF COMMISSARY WHICH I HAVE RECEIPTS FOR

Describe Problem or Request: THIS GRIEVANCE IS ONLY AGAIN TO DOCUMENT PROFILING & HARASSMENT BY YOU DEPUTIES. THIS ONE BEING ON MCKISIECK THE DEPUTY WHO WORKED 4-29-20 AND DID CHARGE-OUT IN MY CELL WHEN HE CAME TO MY DOOR HE MADE A COMMENT "THIS ONE IS MINE" REFERRING TO ME. THEN HE SPENT A LOT IN MY CELL SEARCHING THROUGH EVERYTHING NOT LIKE THE OTHER CELLS & OFFICERS AND THIS WAS MORE LIKE A SHAKE DOWN THAN A SEARCH FOR CLOTHS. WHEN HE STARTED GOING THRU MY LEGAL PAPERWORK I COULD BE PRESENT TO SEE HIM GOING THRU
 Department Use Only it. VERY LIGHTLY HE MADE A COMMENT.

Received by: Deputy Fierba Date 04/30/2020 Time 2029
 Routed to: Warden Commander.

Reply: This will be addressed with Deputy McKisick. Deputies can search cells at anytime. Anything deemed contraband (excess property) can be discarded. Deputies are not considered to be harassing or profiling simply because they say "This one is mine". I will discuss the pillow issue with Deputy McKisick.

Disposition by: Sgt. Fierba Date 5/4/20 Time 1042
 Returned to Inmate by: ABIZEN Date 5-4-20 Time 16:42

Original - Classification File Yellow - Inmate response Pink - Inmate
 DCJ Form 301a (revised 02-29-06)

Told me to stop. His instructions were to pull my pants & boxes down. Never been told that before but I did hear and when to see again. Averette stopped me because he wanted my pants & boxes at my ankles. I dropped them all the way. And he stopped me again. **Davis County Sheriff's Office** saying I need to move so I can see my penis better. I did so. Every time he stopped me there was a pause without any more instructing so I would then to see him again stopping my best friend to see **Correctional Division** He said I needed to move again to see my pen. Not saying better this time. I forced him to show him and even let me see his balls so the next time he stopped me I knew something weird was going on. **Inmate Request and Grievance Form** Also noticed the cell door was open wide, the nurses monitored window seen everything & 4 inmates could also see everything & were laughing saying the

Name Angel Abreu Inmate # 398403 Housing Unit H-5
 Can't believe he was hanging me down all that He did. I then pulled my pants & boxes up. I told Averette that I felt violated by him. And the instructions that I wasn't doing the U.A. Now. Two years of change outs and
 Date 5/7/20 Check One: ☐ Request ☒ Inmate Grievance ☐ Good Time ☐ Disciplinary Appeal ☐ Other
 Describe Problem or Request: *START - I write a lot of these, so much so, I've heard how deputies sometimes laugh when
to document a lot of problems over the years to turn this into some joke. Especially because of the seriousness of
the grievance. Sexually I feel harassed after AUA with Averette. And I will wait for a response before I decide
to take my problem to the press. My lawyer. I want to speak in person further with details. On 5/10/20 Deputy Averette
approached me for AUA. which I was in medical with the other inmates from Hotel. After years of UA's I didn't
wait for instructions. Knowing what's done I walked straight to the toilet in cell 4 and slightly at a angle but facing
Averette enough to expose the CUP & myself. Department Use Only To Him I stood. When I started to begin after
*END - Strip Searches never was a good. ever made me feel as if by Averette nor have I had an audience being exposed

Received by Deputy Fitch Date 05/08/2020 Time 2M
 Routed to: Attn: Commander

Reply: THIS HAS BEEN REVIEWED - YOUR GRIEVANCE IS UNFOUNDED.
AT NO TIME CAN DEPUTY AVERETT BE SEEN DEVIATING FROM POLICY
AND PROCEDURE, NOR CAN ANY INMATE HAVE SEEN YOU "EXPOSED."

Disposition by: SGT. SWANER Date 5/13/2020 Time 1400
 Returned to Inmate by: Bergstrom Date 5-13-2020 Time 1700

Original - Classification File Yellow - Inmate Response Pink - Inmate
 DCJ Form 301a (revised 02-29-96)

10-1-21 TRICK TO LET THE CASE TO GO X [Signature]

CLAIM TWO

I. PLAINTIFF(S)

Plaintiff Angel Abreu, is and at all times mentioned herein a pretrial detainee of the Davis County Correctional Facility. Abreu is currently in confinement at DAVIS COUNTY CORRECTIONAL FACILITY, in DAVIS COUNTY.

II. DEFENDANT(S)

Please refer to the "PARTIES TO THIS COMPLAINT" for exact details on defendants.

Defendants are Sgt. Townsend and Cole Melendres are sued individually and in their official capacity. At all times mentioned in this Complaint defendants acted under color of law.

III. VIOLATION(S)

1. US Const. art. AMENDMENTS 3 Amendment I Religion and expression
2. US Const. art. AMENDMENTS 3 Amendment XIV Rights guaranteed
3. US Const. art. AMENDMENTS 3 Amendment XIII Slavery and Involuntary Servitude

IV. FACTS

1. On or around September 16, 2019 the plaintiff requested a halal religious diet and a prayer rug that the jail offers to Muslim inmates. That request and all contact, communication and grievances to this claim was handled by Sgt. Townsend.
2. From 9/16/19 to 11/18/20 the following occurred, it's important to state that the following is brief and all has been documented through grievances but the jail records is refusing to BAMA request for copies the plaintiff was told by Townsend that she did not believe he was Muslim and would not accept his request offering a religious diet or give the plaintiff access to a prayer rug. Such being very important to the Islam religion. The plaintiff offered several times to take testing to prove his knowledge of Islam and expressed that being charged with a Capital offense and facing the possible death sentence for aggravated Murder had influenced the plaintiff to center his beliefs and prepare for the worst being death, and while searching for the meaning of death the plaintiff found life through Islam and Allah (God). Sgt. Townsend

IV. Facts (Page 2)

still refused access to resources already afforded to other Muslims. The Plaintiff was in Pod 6 Room 11 during that at the time when he told Townsend that he was around two other Muslim inmates that she recognized and had access to accommodations from the jail and the plaintiff expressed that they could verify to Townsend that he is Muslim and declared his faith to Allah. Still Townsend denied accommodations to Abreu and refused to recognize him as Muslim. Abreu then offered to pay for the proper veg and religious diet and Townsend still said no. Then the plaintiff went on a hunger strike that lasted 19 days to get Townsend or someone in charge to accept his request and religious practices. Townsend still denied Abreu, and writes to him to his grievance Townsend to other officials as officers was denied and Townsend would reply to the grievances or requests. After many attempted lawsuits, Townsend told the plaintiff that she does not have a Imam that can certify that Abreu is Muslim so unless one is found she won't approve him. Townsend said she would find a Imam to satisfy her want and until then Abreu was to wait. Townsend went and told her to stop. Abreu did not mention religious beliefs when booked on 9/29/18 so she just accepted him. Abreu was never asked his religious beliefs when booked.

3. On 1/8/20 Abreu wrote a request to the religious director about his diet because for he was asked for them to find an Imam and Townsend replied (see exhibit G) and Abreu still was not approved for accommodations.

4. On 11/22/20 Abreu filed a Religious Diet Request for the Hardline and was told when he was out of the Fox Abbey Unit for sanctions from the 9/26/20 incident then he can take a Sincerity test to prove knowledge of religion which Abreu eventually passed. (see exhibit G)

V. VIOLATION(S) ~~SUPPORTING~~ CLAIM

COURT FOR: FREEDOM OF RELIGIOUS PRACTICE

While requesting multiple times for religious diet and prayer rug, and even offering to pay for such accommodations, the Plaintiff was denied personally by Townsend and due to regulations which substantially burdened sincerely held religious beliefs. The Plaintiff realleges and incorporates by reference paragraphs 1-4 of "IV. FACTS".

VI. EXHAUSTION OF ADMINISTRATIVE REMEDIES

Refer to "EXHAUSTION OF ADMINISTRATIVE REMEDIES FOR ALL CLAIMS" AND EXHIBITS

VII. CLAIMS FOR RELIEF

The actions of defendants, Townsend and Meldrum, is denying the Plaintiff freedom of religious practice, and substantially burdening sincerely held religious beliefs, was done without rational connection between jail regulations and the governmental interest in order to justify it and constituted the free exercise thereof in violation of the First Amendment of the U.S. Constitution along with the Fourteenth and Thirteenth Amendments. The Plaintiff realleges and incorporates by reference paragraphs 1-4 of "IV. FACTS".

VIII. RELIEF REQUESTED

WHEREFORE, Plaintiff requests that the Court grant the following relief:

A. Issue a declaratory judgment stating that:

1. The actions of defendants Meldrum and Townsend, as I led the Plaintiff's rights under the First Amendment of the United States Constitution.

2. Separately, the actions of defendants Meldrum and Townsend, violated the Plaintiff's rights under the 14th and Thirteenth Amendments of the United States Constitution.

B. Issue an injunction ordering the (Davis County) Correctional Facility and the defendants to:

1. Immediately redress policy and give inmates the complete freedom to practice their religious beliefs and provide them with the available accommodations to do so at any time. The inmate requests or desires to let the officers of inmates know of their religion, and/or create policy to do so.

2. Provide request inmates with a better and more diverse halal religious diet.

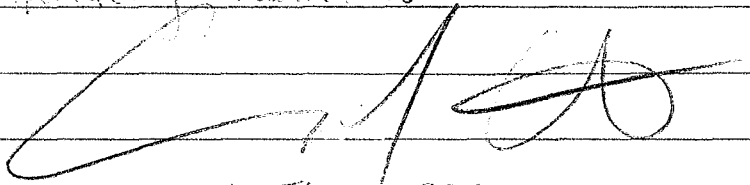
VIII. Relief Requested (page 2)

That is more actual and follows close to what the Utah state prison(s) offer. In doing so, therefore, what is available now as the current Muslim diet is Kosher instead of Halal and does not meet the standards for eating.

C. Coram Such other relief as it may appear plaintiff is entitled.

20, December, 2021

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Anael Abreu', written over several horizontal lines of the document.

ANAEL ABBRU